

SOLID WASTE DISPOSAL ACT8-22. Imminent and Substantial Endangerment1. **AUTHORITY.** Pursuant to the Solid Waste Disposal Act, including Section 7003:

- a. To make determinations that the handling, storage, treatment, transportation, or disposal of any solid waste or hazardous waste may present an imminent and substantial endangerment to health or the environment.
- b. After giving notice to the affected state, to take administrative action including, but not limited to, issuing unilateral orders or orders on consent as may be necessary to protect health and the environment.
- c. To give notice to appropriate local government agencies upon receipt of information that there is hazardous waste at any site which has presented an imminent and substantial endangerment to human health or the environment, and to require notice of the endangerment to be posted at the site where the waste is located.

2. **TO WHOM DELEGATED.**

- a. Director, Enforcement and Compliance Assurance Division for the authority in paragraphs 1.a., 1.b., and 1.c.
- b. Director, Land, Chemical, and Redevelopment Division for the authority in paragraph 1.a.

3. **LIMITATIONS.**

- a. The authorities in paragraphs 1.a. and 1.b. shall be exercised subject to directives issued by the assistant administrator for the Office of Enforcement and Compliance Assurance.
- b. Any official exercising this authority must obtain the advance concurrence of the regional counsel or designee on the legal sufficiency of the action before exercising the authority to issue orders in 1.b. The RC may waive concurrence in writing.
- c. Any official exercising this authority must consult with the AA for OECA before exercising the authority to issue orders in paragraph 1.b. The AA for OECA may waive consultation in writing.
- d. Any official exercising authority 1.a shall notify the other director or designee prior to exercising this authority. Either director may waive receipt of such notification.

4. **REDELEGATION AUTHORITY.**

- a. These authorities may be redelegated to the branch chief level, or equivalent, and no further.

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- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Former Region 8 delegations 8-22-A, 8-22-B, 8-22-C, and 8-23, each of which was dated November 20, 2000, have been eliminated and consolidated into this delegation.



Debra H. Thomas
Acting Regional Administrator

APR 29 2019

Date